IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(Crl.).No. 62 of 2007(S)

PETITIONER:

S.SIVARAMAKRISHNAN, S/O.DURAI RAMASWAMY,
AGED 22 YEARS, JAMEEN KALIYAPURAM P.O., POLLACHI
NOW RESIDING AT C/O.KANAKARAJ, S/O.VENKTACHALAM,
KUMARANUR, VANNAMADA P.O., KOZHINJAMPARA VIA,
CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:
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1. THE DISTRICT SUPERINTENDENT OF POLICE,
PALAKKAD.

2. THE SUB INSPECTOR OF POLICE,
CHITTUR, PALAKKAD DISTRICT.

3. PONUSWAMI, CHENMALA ROAD, K.K.NAGAR,
ERODE DISTRICT, TAMIL NADU.

R1 & R2 BY GOVERNMENT PLEADER SHRI P.A.SALIM
R3 BY ADVOCATE SRI.T.R.RAVI

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(CRL.) NO.62/2007 - APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 - TRUE COPY OF PHOTOGRAPHS EVIDENCING MARRIAGE.

EXT.P2 - TRUE COPY OF COMPLAINT DATED 18.3.2007 SUBMITTED BY THE PETITIONER BEFORE RESPONDENTS 1 AND 2.

RESPONDENTS' EXHIBITS: NIL.

(TRUE COPY)

vaa PS TO JUDGE

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.)No.62 OF 2007

Dated 10th April, 2007

JUDGMENT

Koshy,J.

According to the petitioner, he married the alleged detenue, but, his wife was taken by the third respondent, her father, and, therefore, he filed this habeas corpus petition for producing the body of the alleged detenue. Government Pleader as well as counsel for the third respondent submitted that the girl was produced in the Peroor police station in Tamil Nadu. Relatives of both parties were present and the alleged detenue stated that she is not under illegal custody and she was with her parents. A statement was also recorded. It is further submitted that the alleged marriage and alleged going away by the detenue etc. happened in Tamil Nadu. Apart from the above, it is submitted that the girl is with her parents. Therefore, if the petitioner has any grievance, it is for him to approach the concerned jurisdictional Family Court and we see no ground to issue a writ of habeas corpus in this case.

The writ petition is dismissed.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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